

**To:** EOC OGC[EOC\_OGC@epa.gov]  
**Cc:** Feldman, Richard[Feldman.Richard@epa.gov]  
**From:** Hess, Stephen  
**Sent:** Thur 8/13/2015 9:37:26 PM  
**Subject:** RE: STATEMENT on False Claims on Gold King Mine Reimbursement Process

Lee – As to the questions from the email below:

I had two questions:

1. What other ways are there through which people can apply for compensation?
2. Will these other ways also require people to waive off rights to future claims?

Best,

aditya

# Attorney Client/Ex. 5

Stephen Hess

U.S. EPA, Office of General Counsel

1200 Pennsylvania Avenue, N.W.

Washington, D.C.

Mail Code: 2399A

Phone: 202-564-5461

**From:** Tyner, Lee On Behalf Of EOC OGC  
**Sent:** Thursday, August 13, 2015 5:22 PM  
**To:** Hess, Stephen  
**Subject:** Fw: STATEMENT on False Claims on Gold King Mine Reimbursement Process

Can you help with this?

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**From:** Senn, John on behalf of EOC Public Information  
**Sent:** Thursday, August 13, 2015 5:06 PM  
**To:** EOC OGC  
**Subject:** Fw: STATEMENT on False Claims on Gold King Mine Reimbursement Process

Please see these two Qs from a reporter at Time--let me know what you think.

thanks,  
John

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**From:** Purchia, Liz  
**Sent:** Thursday, August 13, 2015 5:01 PM  
**To:** EOC Public Information  
**Subject:** FW: STATEMENT on False Claims on Gold King Mine Reimbursement Process

Can you please help answer these two questions from OGC?

**From:** Agrawal, Aditya - Time U.S. <[Aditya.Agrewal@time.com](mailto:Aditya.Agrewal@time.com)>  
[mailto:[Aditya.Agrewal@time.com](mailto:Aditya.Agrewal@time.com)]  
**Sent:** Thursday, August 13, 2015 5:01 PM  
**To:** Purchia, Liz  
**Subject:** Re: STATEMENT on False Claims on Gold King Mine Reimbursement Process

Hi Liz,

I had two questions:

1. What other ways are there through which people can apply for compensation?
2. Will these other ways also require people to waive off rights to future claims?

Best,

aditya

**From:** <Purchia, Liz <[Purchia.Liz@epa.gov](mailto:Purchia.Liz@epa.gov)>

**Date:** Thursday, August 13, 2015 4:52 PM

**To:** "Purchia, Liz" <[Purchia.Liz@epa.gov](mailto:Purchia.Liz@epa.gov)>

**Subject:** STATEMENT on False Claims on Gold King Mine Reimbursement Process

Below is a statement on inaccurate claims about the Gold King Mine response claims reimbursement process. Please ensure this is corrected in any story you may be working on.

EPA is not offering immediate reimbursements for damages from the Gold King Mine water and it is not true that if someone submits a claim that by doing so they limit or waive future rights.

EPA's Federal Tort Claims Act (FTCA) regulation provides that a person may amend their claim form at any time prior to reaching a settlement with EPA, or before the person files a lawsuit under the FTCA. Additionally, a person claiming an injury or damage has two years from the date of the event to file a claim with EPA under the FTCA. (40 CFR Part 10).

While EPA has made Form 95 available for filing a claim, EPA has also noted on our website that:

**“Standard Form 95 is not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim. Please note that a completed form must state a claim for money damages in a “sum certain” amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property.”**

Liz Purchia

Deputy Associate Administrator, Public Affairs

U.S. Environmental Protection Agency

Office: 202-564-6691

Cell: 202-841-2230

Please be alert for any emails that may ask you for login information or directs you to login via a link. If you believe this message is a phish or aren't sure whether this message is trustworthy, please send the original message as an attachment to ['phishing@timeinc.com'](mailto:phishing@timeinc.com).